

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

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ALICIA CALDERON,

Plaintiff,

-against-

Case No.: 1:21-cv-06367-EK-
MMH

ANSWER

ROYAL ELITE PALACE CATERERS LLC, ELITE
PALACE LLC, 6902 GARFIELD AVENUE LLC, 6902
GARFIELD IZ, LLC d/b/a DA MIKELLE PALAZZO,
SIMON ALISHAEV, ALEXANDRA HIAEVE, IGOR
TSAN, ABHI VA YNSHTEYN, ABA COHEN a/k/a ABA
KOLNOV a/k/a ABA KOIUNOV, ROBEN KATANOV,
and YURI YONAYEV,

Defendants.

-----X

Defendants, ROYAL ELITE PALACE CATERERS LLC, 6902 GARFIELD IZ, LLC
d/b/a/ DA MIKELLE PALAZZO, ABA COHEN a/k/a ABA KOLNOV a/k/a ABA KOIUNOV
(collectively, “Defendants”), by and through their attorneys, JACOBS P.C., answer Plaintiff’s
Complaint, upon information and belief, as follows:

1. No response is required to Paragraph 1 of the Complaint; however, to the extent a response is required, Defendants deny the allegations herein.
2. Defendants deny the allegations contained in Paragraph 2 of the Complaint.
3. Defendants deny the allegations contained in Paragraph 3 of the Complaint to the extent they allege any wrongdoing on the part of Defendants.
4. Defendants deny the allegations contained in Paragraph 4 of the Complaint.

5. Defendants deny the allegations contained in Paragraph 5 of the Complaint to the extent they allege any wrongdoing on the part of Defendants.
6. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of the Complaint.
7. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7 of the Complaint.
8. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 of the Complaint.
9. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 9 of the Complaint. Defendants refer all conclusions of law to this Court.
10. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 10 of the Complaint.
11. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11 of the Complaint.
12. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12 of the Complaint.
13. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 of the Complaint.
14. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 of the Complaint.
15. Defendants admit the allegations contained in Paragraph 15 of the Complaint.

16. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 16 of the Complaint, but admit that Royal Elite Palace was a catering company and event space.
17. Defendants deny the allegations contained in Paragraph 17 of the Complaint.
18. Defendants deny the allegations contained in Paragraph 18 of the Complaint.
19. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 of the Complaint.
20. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 20 of the Complaint.
21. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 21 of the Complaint.
22. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 22 of the Complaint.
23. Defendants deny the allegations contained in Paragraph 23 of the Complaint to the extent they pertain to Defendants and deny knowledge or information sufficient to form a belief as to the truth of the remaining allegations and refer all conclusions of law to this Court.
24. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 24 of the Complaint.
25. Defendants admit the allegations contained in Paragraph 25 of the Complaint.
26. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26 of the Complaint.
27. Defendants deny the allegations contained in Paragraph 27 of the Complaint.
28. Defendants deny the allegations contained in Paragraph 28 of the Complaint.

29. Defendants deny the allegations contained in Paragraph 29 of the Complaint to the extent they pertain to Defendants and deny knowledge or information sufficient to form a belief as to the truth of the remaining allegations.
30. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 30 of the Complaint.
31. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 31 of the Complaint.
32. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 32 of the Complaint.
33. Defendants admit the allegations contained in Paragraph 33 of the Complaint solely to the extent they allege Aba Cohen was the owner of Royal Elite Palace and Defendants deny knowledge or information sufficient to form a belief as to the truth of the remaining allegations.
34. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 34 of the Complaint.
35. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 35 of the Complaint.
36. Defendants admit the allegations contained in Paragraph 36 of the Complaint solely to the extent Aba Cohen controlled Royal Elite Palace, its employees, and managed the day-to-day operations of Royal Elite Palace and Defendants deny knowledge or information sufficient to form a belief as to the truth of the remaining allegations.

37. Defendants admit the allegations contained in Paragraph 37 of the Complaint solely to the extent Aba Cohen is a resident of New York State and Defendants deny knowledge or information sufficient to form a belief as to the truth of the remaining allegations.
38. No response is required to Paragraph 38 of the Complaint.
39. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 39 of the Complaint and refer all conclusions of law to this Court.
40. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 40 of the Complaint.
41. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 41 of the Complaint and refer all conclusions of law to this Court.
42. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 42 of the Complaint and refer all conclusion of law to this Court.
43. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 43 of the Complaint.
44. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 44 of the Complaint and refer all conclusion of law to this Court.
45. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 45 of the Complaint and refer all conclusion of law to this Court.

46. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 46 of the Complaint and refer all conclusion of law to this Court.
47. No response is required to Paragraph 47 of the Complaint.
48. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 48 of the Complaint.
49. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 49 of the Complaint.
50. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 50 of the Complaint.
51. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 51 of the Complaint.
52. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 52 of the Complaint.
53. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 53 of the Complaint.
54. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 54 of the Complaint.
55. Defendants deny the allegations contained in Paragraph 55 of the Complaint.
56. Defendants deny the allegations contained in Paragraph 56 of the Complaint.
57. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 57 of the Complaint and refer all conclusions of law to this Court.

58. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 58 of the Complaint and refer all conclusions of law to this Court.
59. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 59 of the Complaint and refer all conclusions of law to this Court.
60. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 60 of the Complaint and refer all conclusions of law to this Court.
61. Defendants admit the allegations contained in Paragraph 61 of the Complaint solely to the extent they pertain to Defendants and Defendants deny knowledge or information sufficient to form a belief as to the truth of the remaining allegations.
62. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 62 of the Complaint.
63. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 63 of the Complaint.
64. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 64 of the Complaint.
65. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 65 of the Complaint.
66. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 66 of the Complaint.

67. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 67 of the Complaint.
68. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 68 of the Complaint.
69. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 69 of the Complaint.
70. Defendants deny the allegations contained in Paragraph 70 of the Complaint.
71. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 71 of the Complaint.
72. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 72 of the Complaint.
73. Defendants deny the allegations contained in Paragraph 73 of the Complaint.
74. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 74 of the Complaint.
75. Defendants deny the allegations contained in Paragraph 75 of the Complaint.
76. Defendants deny the allegations contained in Paragraph 76 of the Complaint.
77. Defendants deny the allegations contained in Paragraph 77 of the Complaint.
78. Defendants deny the allegations contained in Paragraph 78 of the Complaint.
79. Defendants deny the allegations contained in Paragraph 79 of the Complaint.
80. Defendants deny the allegations contained in Paragraph 80 of the Complaint.
81. Defendants deny the allegations contained in Paragraph 81 of the Complaint.
82. Defendants deny the allegations contained in Paragraph 82 of the Complaint.
83. Defendants deny the allegations contained in Paragraph 83 of the Complaint.

84. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 84 of the Complaint.
85. Defendants deny the allegations contained in Paragraph 85 of the Complaint.
86. Defendants deny the allegations contained in Paragraph 86 of the Complaint.
87. Defendants deny the allegations contained in Paragraph 87 of the Complaint.
88. Defendants deny the allegations contained in Paragraph 88 of the Complaint.
89. Defendants deny the allegations contained in Paragraph 89 of the Complaint.
90. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 90 of the Complaint.
91. Defendants deny the allegations contained in Paragraph 91 of the Complaint.
92. Defendants deny the allegations contained in Paragraph 92 of the Complaint.
93. Defendants deny the allegations contained in Paragraph 93 of the Complaint.
94. Defendants deny the allegations contained in Paragraph 94 of the Complaint.
95. Defendants deny the allegations contained in Paragraph 95 of the Complaint.
96. Defendants deny the allegations contained in Paragraph 96 of the Complaint.
97. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 97 of the Complaint.
98. Defendants deny the allegations contained in Paragraph 98 of the Complaint.
99. Defendants deny the allegations contained in Paragraph 99 of the Complaint.
100. Defendants deny the allegations contained in Paragraph 100 of the Complaint.
101. Defendants deny the allegations contained in Paragraph 101 of the Complaint.
102. Defendants deny the allegations contained in Paragraph 102 of the Complaint.
103. Defendants deny the allegations contained in Paragraph 103 of the Complaint.

104. Defendants deny the allegations contained in Paragraph 104 of the Complaint.
105. Defendants deny the allegations contained in Paragraph 105 of the Complaint.
106. Defendants deny the allegations contained in Paragraph 106 of the Complaint.
107. Defendants deny the allegations contained in Paragraph 107 of the Complaint.
108. Defendants deny the allegations contained in Paragraph 108 of the Complaint.
109. Defendants deny the allegations contained in Paragraph 109 of the Complaint.
110. Defendants deny the allegations contained in Paragraph 110 of the Complaint.
111. Defendants deny the allegations contained in Paragraph 111 of the Complaint.
112. Defendants deny the allegations contained in Paragraph 112 of the Complaint.
113. Defendants deny the allegations contained in Paragraph 113 of the Complaint.
114. Defendants deny the allegations contained in Paragraph 114 of the Complaint.
115. Defendants deny the allegations contained in Paragraph 115 of the Complaint.
116. Defendants deny the allegations contained in Paragraph 116 of the Complaint.
117. Defendants deny the allegations contained in Paragraph 117 of the Complaint.
118. Defendants deny the allegations contained in Paragraph 118 of the Complaint.
119. Defendants deny the allegations contained in Paragraph 119 of the Complaint.
120. Defendants deny the allegations contained in Paragraph 120 of the Complaint.
121. Defendants deny the allegations contained in Paragraph 121 of the Complaint.
122. Defendants deny the allegations contained in Paragraph 122 of the Complaint.
123. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 123 of the Complaint.
124. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 124 of the Complaint.

125. Defendants deny the allegations contained in Paragraph 125 of the Complaint.
126. Defendants deny the allegations contained in Paragraph 126 of the Complaint.
127. Defendants deny the allegations contained in Paragraph 127 of the Complaint.
128. Defendants deny the allegations contained in Paragraph 128 of the Complaint.
129. Defendants deny the allegations contained in Paragraph 129 of the Complaint.
130. Defendants deny the allegations contained in Paragraph 130 of the Complaint.
131. Defendants deny the allegations contained in Paragraph 131 of the Complaint.
132. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 132 of the Complaint.
133. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 133 of the Complaint.
134. Defendants deny the allegations contained in Paragraph 134 of the Complaint and refer all conclusions of law to this Court.
135. Defendants deny the allegations contained in Paragraph 135 of the Complaint.
136. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 136 of the Complaint.
137. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 137 of the Complaint.
138. Defendants deny the allegations contained in Paragraph 138 of the Complaint.
139. Defendants deny the allegations contained in Paragraph 139 of the Complaint.
140. Defendants deny the allegations contained in Paragraph 140 of the Complaint.
141. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 141 of the Complaint.

142. Defendants deny the allegations contained in Paragraph 142 of the Complaint.
143. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 143 of the Complaint.
144. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 144 of the Complaint.
145. Defendants deny the allegations contained in Paragraph 145 of the Complaint.
146. Defendants deny the allegations contained in Paragraph 146 of the Complaint.
147. Defendants deny the allegations contained in Paragraph 147 of the Complaint.
148. Defendants deny the allegations contained in Paragraph 148 of the Complaint.
149. Defendants deny the allegations contained in Paragraph 149 of the Complaint.
150. Defendants deny the allegations contained in Paragraph 150 of the Complaint.
151. Defendants deny the allegations contained in Paragraph 151 of the Complaint.
152. Defendants deny the allegations contained in Paragraph 152 of the Complaint.
153. Defendants deny the allegations contained in Paragraph 153 of the Complaint.
154. Defendants deny the allegations contained in Paragraph 154 of the Complaint.
155. Defendants deny the allegations contained in Paragraph 155 of the Complaint.
156. Defendants deny the allegations contained in Paragraph 156 of the Complaint.
157. Defendants deny the allegations contained in Paragraph 157 of the Complaint.
158. Defendants deny the allegations contained in Paragraph 158 of the Complaint.
159. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 159 of the Complaint.
160. Defendants deny the allegations contained in Paragraph 160 of the Complaint.
161. Defendants deny the allegations contained in Paragraph 161 of the Complaint.

162. Defendants deny the allegations contained in Paragraph 162 of the Complaint.
163. Defendants deny the allegations contained in Paragraph 163 of the Complaint.
164. Defendants deny the allegations contained in Paragraph 164 of the Complaint.
165. Defendants deny the allegations contained in Paragraph 165 of the Complaint.
166. Defendants deny the allegations contained in Paragraph 166 of the Complaint.
167. Defendants deny the allegations contained in Paragraph 167 of the Complaint.
168. Defendants deny the allegations contained in Paragraph 168 of the Complaint.
169. Defendants deny the allegations contained in Paragraph 169 of the Complaint.
170. Defendants deny the allegations contained in Paragraph 170 of the Complaint.
171. Defendants deny the allegations contained in Paragraph 171 of the Complaint.
172. Defendants deny the allegations contained in Paragraph 172 of the Complaint.
173. Defendants deny the allegations contained in Paragraph 173 of the Complaint.
174. Defendants deny the allegations contained in Paragraph 174 of the Complaint.
175. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 175 of the Complaint.
176. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 176 of the Complaint.
177. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 177 of the Complaint.
178. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 178 of the Complaint.
179. Defendants deny the allegations contained in Paragraph 179 of the Complaint.

180. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 180 of the Complaint.
181. Defendants deny the allegations contained in Paragraph 181 of the Complaint.
182. Defendants deny the allegations contained in Paragraph 182 of the Complaint.
183. Defendants deny the allegations contained in Paragraph 183 of the Complaint.
184. Defendants deny the allegations contained in Paragraph 184 of the Complaint.
185. Defendants deny the allegations contained in Paragraph 185 of the Complaint.
186. Defendants deny the allegations contained in Paragraph 186 of the Complaint.
187. Defendants deny the allegations contained in Paragraph 187 of the Complaint.
188. Defendants deny the allegations contained in Paragraph 188 of the Complaint.
189. Defendants deny the allegations contained in Paragraph 189 of the Complaint.
190. Defendants deny the allegations contained in Paragraph 190 of the Complaint.
191. Defendants deny the allegations contained in Paragraph 191 of the Complaint.
192. Defendants deny the allegations contained in Paragraph 192 of the Complaint.
193. Defendants deny the allegations contained in Paragraph 193 of the Complaint.
194. Defendants deny the allegations contained in Paragraph 194 of the Complaint.
195. Defendants deny the allegations contained in Paragraph 195 of the Complaint.
196. Defendants deny the allegations contained in Paragraph 196 of the Complaint.
197. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 197 of the Complaint.
198. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 198 of the Complaint.

199. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 199 of the Complaint.
200. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 200 of the Complaint.
201. Defendants deny the allegations contained in Paragraph 201 of the Complaint.
202. Defendants deny the allegations contained in Paragraph 202 of the Complaint.
203. Defendants deny the allegations contained in Paragraph 203 of the Complaint.
204. Defendants deny the allegations contained in Paragraph 204 of the Complaint.
205. Defendants deny the allegations contained in Paragraph 205 of the Complaint.
206. Defendants deny the allegations contained in Paragraph 206 of the Complaint.
207. Defendants deny the allegations contained in Paragraph 207 of the Complaint.
208. Defendants deny the allegations contained in Paragraph 208 of the Complaint.
209. Defendants deny the allegations contained in Paragraph 209 of the Complaint.
210. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 210 of the Complaint.
211. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 211 of the Complaint.
212. Defendants deny the allegations contained in Paragraph 212 of the Complaint and refer all conclusions of law to this Court.
213. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 213 of the Complaint.
214. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 214 of the Complaint.

215. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 215 of the Complaint.
216. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 216 of the Complaint.
217. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 217 of the Complaint.
218. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 218 of the Complaint.
219. Defendants deny the allegations contained in Paragraph 219 of the Complaint.
220. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 220 of the Complaint.
221. Defendants deny the allegations contained in Paragraph 221 of the Complaint.
222. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 222 of the Complaint.
223. Defendants deny the allegations contained in Paragraph 223 of the Complaint.
224. Defendants deny the allegations contained in Paragraph 224 of the Complaint.
225. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 225 of the Complaint.
226. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 226 of the Complaint and refer all conclusions of law to this Court.
227. Defendants deny the allegations contained in Paragraph 227 of the Complaint.
228. Defendants deny the allegations contained in Paragraph 228 of the Complaint.

- 229. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 229 of the Complaint.
- 230. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 230 of the Complaint.
- 231. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 231 of the Complaint and refer all conclusions of law to this Court.
- 232. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 232 of the Complaint and refer all conclusions of law to this Court.
- 233. Defendants the allegations contained in Paragraph 233 of the Complaint and refer all conclusions of law to this Court.
- 234. Defendants deny the allegations contained in Paragraph 234 of the Complaint.
- 235. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 236. Defendants refer all conclusions of law to this Court.
- 237. Defendants deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 237 of the Complaint and refer all conclusions of law to this Court.
- 238. Defendants deny the allegations contained in Paragraph 238 of the Complaint.
- 239. Defendants refer all conclusions of law to this Court.
- 240. Defendants deny the allegations contained in Paragraph 239 of the Complaint.
- 241. Defendants deny the allegations contained in Paragraph 241 of the Complaint.

- 242. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 243. Defendants refer all conclusions of law to this Court.
- 244. Defendants refer all conclusions of law to this Court.
- 245. Defendants deny the allegations contained in Paragraph 245 of the Complaint.
- 246. Defendants deny the allegations contained in Paragraph 246 of the Complaint.
- 247. Defendants deny the allegations contained in Paragraph 247 of the Complaint.
- 248. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 249. Defendants refer all conclusions of law to this Court.
- 250. Defendants deny the allegations contained in Paragraph 250 of the Complaint.
- 251. Defendants deny the allegations contained in Paragraph 251 of the Complaint.
- 252. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 253. Defendants refer all conclusions of law to this Court.
- 254. Defendants deny the allegations contained in Paragraph 254 of the Complaint.
- 255. Defendants deny the allegations contained in Paragraph 255 of the Complaint.
- 256. Defendants deny the allegations contained in Paragraph 256 of the Complaint.
- 257. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 258. Defendants refer all conclusions of law to this Court.
- 259. Defendants deny the allegations contained in Paragraph 259 of the Complaint.
- 260. Defendants deny the allegations contained in Paragraph 260 of the Complaint.

- 261. Defendants deny the allegations contained in Paragraph 261 of the Complaint.
- 262. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 263. Defendants refer all conclusions of law to this Court.
- 264. Defendants refer all conclusions of law to this Court.
- 265. Defendants refer all conclusions of law to this Court.
- 266. Defendants refer all conclusions of law to this Court.
- 267. Defendants deny the allegations contained in Paragraph 267 of the Complaint.
- 268. Defendants deny the allegations contained in Paragraph 268 of the Complaint.
- 269. Defendants deny the allegations contained in Paragraph 269 of the Complaint.
- 270. Defendants deny the allegations contained in Paragraph 270 of the Complaint.
- 271. Defendants deny the allegations contained in Paragraph 271 of the Complaint.
- 272. Defendants deny the allegations contained in Paragraph 272 of the Complaint.
- 273. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 274. Defendants refer all conclusions of law to this Court.
- 275. Defendants refer all conclusions of law to this Court.
- 276. Defendants refer all conclusions of law to this Court.
- 277. Defendants refer all conclusions of law to this Court.
- 278. Defendants deny the allegations contained in Paragraph 278 of the Complaint.
- 279. Defendants deny the allegations contained in Paragraph 279 of the Complaint.
- 280. Defendants deny the allegations contained in Paragraph 280 of the Complaint.
- 281. Defendants deny the allegations contained in Paragraph 281 of the Complaint.

- 282. Defendants deny the allegations contained in Paragraph 282 of the Complaint.
- 283. Defendants deny the allegations contained in Paragraph 283 of the Complaint.
- 284. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 285. Defendants refer all conclusions of law to this Court.
- 286. Defendants refer all conclusions of law to this Court.
- 287. Defendants refer all conclusions of law to this Court.
- 288. Defendants refer all conclusions of law to this Court.
- 289. Defendants refer all conclusions of law to this Court.
- 290. Defendants deny the allegations contained in Paragraph 290 of the Complaint.
- 291. Defendants deny the allegations contained in Paragraph 291 of the Complaint.
- 292. Defendants deny the allegations contained in Paragraph 292 of the Complaint.
- 293. Defendants deny the allegations contained in Paragraph 293 of the Complaint.
- 294. Defendants deny the allegations contained in Paragraph 294 of the Complaint.
- 295. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
- 296. Defendants deny the allegations contained in Paragraph 296 of the Complaint.
- 297. Defendants deny the allegations contained in Paragraph 297 of the Complaint.
- 298. Defendants deny the allegations contained in Paragraph 298 of the Complaint.
- 299. Defendants deny the allegations contained in Paragraph 299 of the Complaint.
- 300. Defendants deny the allegations contained in Paragraph 300 of the Complaint.
- 301. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.

302. Defendants deny the allegations contained in Paragraph 302 of the Complaint.
303. Defendants deny the allegations contained in Paragraph 303 of the Complaint.
304. Defendants deny the allegations contained in Paragraph 304 of the Complaint.
305. Defendants deny the allegations contained in Paragraph 305 of the Complaint.
306. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
307. Defendants deny the allegations contained in Paragraph 307 of the Complaint.
308. Defendants deny the allegations contained in Paragraph 308 of the Complaint.
309. Defendants deny the allegations contained in Paragraph 309 of the Complaint.
310. Defendants deny the allegations contained in Paragraph 310 of the Complaint.
311. Defendants repeat and reiterate their preceding responses as if fully set forth at length herein.
312. Defendants deny the allegations contained in Paragraph 312 of the Complaint.
313. Defendants deny the allegations contained in Paragraph 313 of the Complaint.
314. Defendants deny the allegations contained in Paragraph 314 of the Complaint.
315. Defendants deny the allegations contained in Paragraph 315 of the Complaint.
316. Defendants deny the allegations contained in Paragraph 316 of the Complaint.
317. No response is required to Paragraph 317 in the Complaint, however, pursuant to Fed. R. Civ. P. 38(b), Defendants demand a trial by jury in this case.

DEFENDANTS' AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Plaintiff's claims are barred, in whole or in part, by the applicable statute of limitations.

SECOND AFFIRMATIVE DEFENSE

Plaintiff's claims are barred, in whole or in part, by the doctrine of unclean hands.

THIRD AFFIRMATIVE DEFENSE

Plaintiff's claims are barred, in whole or in part, by the doctrine of waiver.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred, in whole or in part, by the doctrine of estoppel.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff's claims are barred, in whole or in part, by the doctrine of laches.

SIXTH AFFIRMATIVE DEFENSE

Defendants have met and satisfied any and all obligations to Plaintiff that arose out of and during her employment and, therefore, this action is barred, in whole or in part, by the doctrine of accord and satisfaction.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff's claims for damages are barred, in whole or in part, by Plaintiff's failure to mitigate damages.

EIGHTH AFFIRMATIVE DEFENSE

The allegations of the Complaint are insufficient to entitle Plaintiff to an award of attorneys' fees.

NINTH AFFIRMATIVE DEFENSE

The causes of action herein have been waived and/or are barred by reason of the Plaintiff's failure to give proper and timely notice to the Defendants of her claims.

TENTH AFFIRMATIVE DEFENSE

Plaintiff was not employed by each and every Defendant.

ELEVENTH AFFIRMATIVE DEFENSE

Plaintiff is not entitled to an award of any damages, including but not limited to compensatory damages, punitive damages or attorneys' fees.

TWELFTH AFFIRMATIVE DEFENSE

All actions taken by Defendants were taken for legitimate, non-discriminatory reasons. As such, Defendants did not violate any legal right possessed by Plaintiff.

THIRTEENTH AFFIRMATIVE DEFENSE

Without conceding in any way to the allegations of the Complaint, at all times relevant to this action, Defendants have maintained and enforced policies prohibiting discrimination, has provided procedures through which employees can notify it of violations and/or perceived violations of these policies and has promptly investigated complaints of discrimination and have taken corrective action where appropriate. To the extent, if at all, Plaintiff experienced or perceived discrimination while allegedly in Defendants' employ, she failed to notify Defendants and unreasonably failed to avail herself of the preventive and corrective opportunities provided by Defendants. Alternatively, to the extent, if at all, Plaintiff notified Defendants of any discrimination and/or availed herself of the preventive and corrective opportunities provided to her, Defendants promptly investigated and, if and to the extent appropriate, took corrective action.

FOURTEENTH AFFIRMATIVE DEFENSE

Plaintiff's claims, in whole or in part, fail to state a claim upon which relief can be granted.

FIFTEENTH AFFIRMATIVE DEFENSE

Any adverse employment action against Plaintiff was for legitimate nondiscriminatory reasons.

SIXTEENTH AFFIRMATIVE DEFENSE

To the extent that Plaintiff engaged in misconduct, prior to or during her employment which would have resulted in denial of her employment or in termination of her employment, had said acts or omissions been known to Defendants, any relief awarded should be reduced, in whole or in part, due to Plaintiff having engaged in such misconduct.

SEVENTEENTH AFFIRMATIVE DEFENSE

Defendants deny that Plaintiff suffered any emotional distress as a result of actions taken by Defendants, and any emotional distress suffered by Plaintiff is attributable to causes wholly independent of Defendants' alleged actions.

EIGHTEENTH AFFIRMATIVE DEFENSE

The Court should not exercise supplemental jurisdiction of Plaintiff's state law claims.

NINETEENTH AFFIRMATIVE DEFENSE

Plaintiff's damages, if any, were not proximately caused by the acts or omissions of Defendants.

TWENTIETH AFFIRMATIVE DEFENSE

Plaintiff cannot establish that she suffered unwelcome harassment such that the workplace was permeated with discriminatory intimidation, ridicule, and insult; she was harassed because of her membership in a protected class; the harassment was sufficiently severe or pervasive to alter conditions of her employment and create an abusive work environment; and there is a specific basis of imputing the harassment to Defendants.

TWENTY-FIRST AFFIRMATIVE DEFENSE

Plaintiff's claim for damages for emotional distress is barred by the exclusivity provisions of the New York State Workers' Compensation Law, §§ 10-11.

TWENTY-SECOND AFFIRMATIVE DEFENSE

Plaintiff's claims are barred to the extent she petitioned for bankruptcy either under Chapter 7 or Chapter 13 of the United States bankruptcy code yet failed to disclose potential claims against Defendants as required under applicable bankruptcy laws.

TWENTY-THIRD AFFIRMATIVE DEFENSE

To the extent Plaintiff failed to meet conditions precedent prior to asserting her Title VII claims and the United States Equal Employment Opportunity Commission ("EEOC") failed to attempt conciliation in violation of 42 U.S.C § 2000e-5, her claims are barred.

TWENTY-FOURTH AFFIRMATIVE DEFENSE

Plaintiff failed to provide a copy of her Complaint to the New York City Commission on Human Rights and Corporation Counsel in violation of NYC Administrative Code 8-502.

TWENTY-FIFTH AFFIRMATIVE DEFENSE

The Complaint is presented in conclusory and vague terms, which prevents Defendants from anticipating all affirmative defenses and claims that may be applicable in this action. Therefore, to the extent permitted under the FRCP and applicable case law, Defendants reserve the right to assert additional defenses or claims that may become known during the course of discovery.

TWENTY-SIXTH AFFIRMATIVE DEFENSE

Plaintiff cannot establish that she was treated less well on account of her membership in a protected class.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

Plaintiff welcomed the conduct she complains of.

Any allegations not specifically addressed are denied. Defendants reserve the right to amend this Answer up to and including the time of trial.

WHEREFORE, Defendants pray that the Court dismiss the Complaint in its entirety including each and every demand and prayer for relief contained in the Complaint, and grant such other and further relief that the Court deems just and proper.

Dated: February 14, 2022
New York, New York

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